

REMARKS

The Examiner rejected claims 7 - 12 under 35 U.S.C. §101. With the present amendment claims 7 - 12 have been canceled. Thus, the rejection is now moot.

The Examiner rejected claims 1 - 3, 7 - 9, 13 - 15, and 19 - 21 under 35 U.S.C. 102(e) as being anticipated by OHNUMA et al. Although the Office Action does not state where FINAL FANTASY VIII (FF VIII) fits in, it is assumed that the Examiner intended to reject the claims under 35 U.S.C. §103.

The Examiner also rejected claims 4, 5, 10, 11, 16, 17, 22, and 23 under 35 U.S.C. 103(a) as being unpatentable over OHNUMA et al. in view of KONDO et al. The Examiner rejected claims 6, 12, 18, and 24 under 35 U.S.C. 103(a) as being unpatentable over OHNUMA et al. Applicants respectfully traverse.

Independent claims 1, 13, and 19 recite a parameter changed by different amounts when the enemy is defeated, based upon how soundly the enemy was defeated. None of the references of record disclose or suggest such a feature.

The Examiner concedes that OHNUMA et al. do not allow a player to receive greater rewards based upon how badly the enemy was beaten. Rather, OHNUMA et al. merely disclose rewarding a player for defeating an enemy during a battle.

The Examiner appears to rely upon FF VIII to supply the deficiencies of OHNUMA et al. FF VIII is a game developed by the assignee of the present invention. FF VIII

discloses a feature referred to as “Fire Cavern,” which the Examiner relies upon. Fire Cavern includes an event having a time limit. The event includes two quests: defeating an enemy, and returning to a specific location. Before starting the event, the player selects a target time for himself, e.g., 10 minutes, 20 minutes, 30 minutes, or 40 minutes. After setting the target time, the player starts the event. After completing the event, the time the player required to complete the event, i.e., defeat the enemy and return to the specified location, is calculated and compared with the selected target time. The smaller the difference between the target time and the actual time, the more points the player receives. For example, if the difference is less than seven seconds, 100 points are awarded. If the difference is between eight and twenty nine seconds, 90 points are awarded, etc.

Contrary to the Examiner’s assertion that “the quicker they made it through the more the parameter is changed,” the parameter is not changed the quicker the player completes the event. The player can set a long time, e.g., 40 minutes, and thus be penalized for quickly completing the event. FF VIII changes a parameter based upon how well the player estimated.

The Examiner states that “[t]hus, even though in both instances the player beat the enemy, the player who did it better is awarded more points.” First, the event is not simply defeating an enemy, but also includes successfully navigating the character to a specific location. Therefore, FF VIII does not measure how well a player defeats the enemy. FF VIII

measures how long it takes to complete an entire event. Whether or not the player defeats an enemy quickly does not determine how the player is rewarded. FF VIII does not compare the time taken to defeat an enemy with any threshold value. FF VIII only compares a time required to complete an entire event with a target time.

Second, FF VIII does not analyze whether a player did a better job of beating the enemy. Instead, FF VIII evaluates how well the player estimated the time required to complete the event. If a first player sets a target time to 40 minutes and the first player takes exactly 40 minutes to complete the event, and a second player who also selected 40 minutes completes the event in ten minutes, the quicker player receives a smaller reward. The reward is not determined by whether the battle time exceeds the predetermined time, but rather by how the estimated target time compares to the total time required to defeat an enemy *and* to move to a specific location.

The Examiner states that “[a] skilled artisan would also understand that a number of ways besides time could be used to establish how well a monster is beat, including for example, how many turns it took, what weapons were used, how much the monster was beat by, or any of the other well-known features of a fighting game.” The Examiner does not appear to appreciate that FF VIII does not use time to establish how well a monster is beat, or for that matter, establish how well a monster is beat. Moreover, the Examiner has not provided a reference that teaches the “well-known feature” of determining how well a

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monster is defeated based upon how much the monster was defeated by. It is respectfully requested that the Examiner provide a reference to support her assertion, in accordance with M.P.E.P. §2144.03.

Consequently it is submitted FF VIII does not teach or suggest changing a stored parameter according to a first condition, when the enemy is defeated by an amount of damage that is less than the threshold value; and changing the stored parameter according to a second condition that is different from the first condition, when the enemy is defeated by an amount of damage that is at least the threshold value. OHNUMA et al. also do not teach or suggest the claim limitation.

Consequently, it is requested that the Examiner withdraw the rejections of the independent claims.

Dependent claims 2 - 6, 14 - 18, and 20 - 23, are also believed to recite further patentable subject matter of the invention and therefore are also believed allowable over the prior art. As such, allowance of the dependent claims is deemed proper for at least the same reasons noted for the independent claims, in addition to reasons related to their own recitations.

For example, claims 3, 9, 15, and 21 define the parameter as the number of items acquired by the player so that when the enemy is killed by a low amount of damage, the number of items obtained is fewer than if the enemy is killed by a larger amount of damage.

As noted above, FF VIII does not teach “that a win with greater damage would result in better prizes,” contrary to the examiner’s assertion on page 6 of the Office Action. FF VIII does not evaluate damage and therefore cannot determine any prizes based upon damage. FF VIII also does not discuss or suggest varying the number of items awarded. Thus, the reference cannot suggest varying, much less increasing, the number of items when the amount of damage is at least the threshold value. OHNUMA et al. do not supply the deficiencies.

Similarly, none of the applied references (including KONDO et al.) teach or suggest changing a number of first items or a number of second, different items, based upon the amount of damage, as recited in claims 4, 16, and 22. None of the references discuss or suggest awarding different types of items based upon the amount of damage. Awarding the players different items is not simply a design alternative, as asserted by the Examiner. The Examiner is respectfully requested to support her assertion with a reference.

The claim limitations of claims 5, 17, and 23 recite changing the probability (or acquisition factor) based upon the final inflicted damage. There is no mention, teaching or suggestion of such a limitation in any of the applied references.

Accordingly, applicants respectfully request reconsideration of the outstanding rejections and an indication of the allowability of all of the claims in the present application.

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Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully submitted,
Toshiro TSUCHIDA et al.

Will H. Lynde Reg. No.
Bruce H. Bernstein 41,568
Reg. No. 29,027

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GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191